

TIPPECANOE COUNTY BOARD OF COMMISSIONERS
SPECIAL MEETING
JULY 15, 2003

The Tippecanoe County Commissioners held a Special Meeting on Tuesday, July 15, 2003 at 11:00 A.M. in the Tippecanoe Room in the County Office Building. Commissioners present were: President KD Benson, Vice President Ruth E. Shedd, and Member John L. Knochel. Also present were: Auditor Robert A. Plantenga, County Attorney David W. Luhman, and Secretary Pauline E. Rohr. (Commissioners' Assistant Jennifer Weston was absent.)

President Benson called the meeting to order.

PUBLIC HEARING: RESOLUTION 2003-22-CM, Establishing Cum Bridge Fund Rate

On August 28, 2002, the Commissioners voted to reduce the 2003 tax levy for the Cum Bridge Fund so the tax levy for the General Fund could be raised due to inadequate County General funds for the 2003 Budget. This action was necessary because the County is not allowed to increase the levy more than approximately 5% annually and the General Fund and the Cum Bridge Fund have to work in parity with each other. The Commissioners passed Resolution 2002-30-CM reducing the 2003 Cum Bridge Levy to a \$2 million limit in 2003 so the General Fund Levy could be increased by the excess of \$900,000 and transferred the anticipated Cum Bridge interest for 2003 of approximately \$347,000 to generate an additional \$1.2 million for the General Fund. Since the request was for one year only, it is necessary for the Commissioners to go through the process if they want to set the Cum Bridge Levy for 2004.

If the advertised 2004 Cum Bridge Fund rate of 6¢ per \$100 assessed value is approved, President Benson said the Auditor estimates \$4.25 million will be generated for the Cum Bridge Fund. Auditor Plantenga said the current rate of 3.18¢ should generate \$2,245,846 for 2003. Commissioner Knochel said he thinks the rate should be raised to 4¢ to generate approximately \$2.8 million to meet the County's obligations. Commissioner Shedd asked how the increased rate will affect the General Fund. Auditor Plantenga responded that, because the General Fund and Cum Bridge Fund are in one pool of money on the property tax side, raising the rate to increase the amount to Cum Bridge from \$2.25 million to \$2.8 million will reduce the amount to the General Fund approximately \$600,000 to make up the difference.

President Benson asked Attorney Luhman for a report establishing a Major Bridge Fund. Attorney Luhman said a county that has a physical obstruction between two population or economic centers is allowed to set a Major Bridge Fund Rate up to 3¢ to generate money to repair major bridges with a minimum length of 100 feet. He cited the Harrison Bridge over the Wabash River as an example of a bridge that qualifies. If established, a Major Bridge Fund Rate would become effective in 2005 and proceeds could be used to maintain the Harrison Bridge when the State relinquishes it to us.

Commissioner Knochel said he is not in favor of this since that would be an additional tax.

Highway Executive Director Mark Albers said it will take a minimum of \$2.8 million to fund the proposed 2004 Cum Bridge Budget. He said funds for capital projects in the 5 year replacement program are not building. He cited Hog Point Bridge in Americus as an example of a bridge with a life of approximately 3 years remaining on the deck that will be an estimated \$3 million project to replace. In the City of Lafayette, the County will become responsible for maintaining the bridges on South 9th Street and at Concord & Brady over the Elliott Ditch. Relinquishments of bridges from the State such as Harrison Bridge will be ours to maintain. Inspections for Bridge Rehabilitation work show \$1.7 million will be needed over the next 2 years. He said the Hog Point Bridge would not be eligible for Major Bridge Funds because it is too far out in the County. He suggested talking about establishing this fund closer to the time the State begins relinquishing bridges to the County.

- Commissioner Knochel moved to approve Resolution 2003-22-CM, establishing the Cum Bridge Rate at 4¢ per \$100 assessed valuation to generate a levy of approximately \$2,824,963, seconded by Councilmember Shedd.

Auditor Plantenga pointed out that this levy amount is based on assessed values for 2002 because we don't have assessed values for 2003. The total levy increase of approximately 5% each year will generate an estimated \$700,000 increase which means the General Fund Budget will be the same for 2004 as 2003. Cum Bridge will get an estimated increase of \$550,000 and the General Fund will get an estimated increase of \$150,000.

Attorney Luhman summarized Resolution 2003-22-CM that will appear in its entirety in the Ordinance and Resolution Book in the Auditor's Office.

The Resolution states the Commissioners see a need to establish a Cum Bridge Tax Rate for 2004 to provide funds for the cost of construction, maintenance, and repair of bridges, approaches, and grade separations, and for making county wide bridge inspections and safety ratings of bridges in the county. The proposed fund rate will not exceed 4¢ on each \$100 of assessed valuation and the tax rate will be levied beginning with taxes for 2003 due and payable in 2004.

- The motion to approve Resolution 2003-22-CM passed.

RATIFY LOCAL EMERGENCY PROCLAMATION

- Commissioner Shedd moved to ratify the Local Emergency Proclamation enacted July 10, 2003 by Commission President Benson because of flooding that has occurred in the County since July 4, 2003, seconded by Commissioner Knochel; motion carried.

FLOOD DAMAGE INFORMATION: Building Inspector Ron Highland, Area Plan Executive Director Jim Hawley, Emergency Management Director Steve Wettschurack, Grant Coordinator Jessica Rebmann, & Lafayette City Engineer Opal Kuhl

President Benson summarized the following Press Release regarding Building Permit procedures:

(quote)

FOR IMMEDIATE RELEASE

July 15, 2003

FLOOD VICTIMS REMINDED TO GET BUILDING PERMITS
BUILDING PERMIT FEES WAIVED

Tippecanoe County participates in the National Flood Insurance Program (NFIP), administered by the Federal Emergency Management Agency (FEMA), which allows property owners to purchase flood insurance.

Due to our participation, we are required to enforce floodplain management regulations within the Special Flood Hazard Area (SFHA). NFIP regulations and Tippecanoe County Ordinances prohibit the repair or rebuilding of any building located within tile SFHA that sustained more than 50% damage.

Flood victims are reminded to have any damage inspected and assessed, and to obtain a local building permit before beginning repairs. Building permits may be obtained from the Tippecanoe County Building Commission office at 20 N. 3rd St for those residents outside the city limits. A special phone line has been installed for flood questions at 423-9333. For residents inside the city of Lafayette, permits can be obtained at the City Engineer's office, 20 N. 6th St., 476-4471. In addition, depending upon the specifics of the location, permits may be necessary from the Indiana Department of Natural Resources (IDNR).

The Tippecanoe County Commissioners and with Mayor Heath of Lafayette have implemented streamlined approval processes for permits and have agreed to waive building permit fees for individual homeowners with flood damage. Commissioners are also investigating possible sources of funds to purchase damaged property. If able to establish a buy-out program, owners will be notified of procedures

These efforts are in coordination with the regulations of the IDNR and the Federal Emergency Management Association (FEMA).

For further information:

Steve Wettschurack, Emergency Management, 742-1334
Ron Highland, Building Commissioner, 423-9225
Jim Hawley, Area Plan Director, 423-9242
Dave Luhman, County Attorney, 423-5404

(unquote)

Kathryn Dolan, Channel 18 TV, asked if the amount of damage from flooding has been determined. President Benson responded that the National Flood Insurance Program suggests that if a building has had more than 3 feet of water in it there is substantial damage. Since Mr. Wettschurack just returned from an inspection of properties located on Goldsberry Road, President Benson asked him to report his findings.

Mr. Wettschurack said he determined from his windshield survey of Goldsberry Road that approximately 20 residences sustained some damage and approximately 5 of those sustained severe damage. Approximately four residences on Morningside Lane sustained severe damage. River Junction in Americus is still flooded. He said there is no estimate of the damage but there is a need to collect the numbers for SEMA and FEMA. He said FEMA will require \$400,000 of damage sustained from storms from July 4-14, 2003 before taking applications for public assistance. Things to consider when compiling the numbers are damages and costs for parks, roads, ditches culverts, cleanup, law enforcement (City & County), and utilities.

Commissioner Knochel asked Attorney Luhman to explain why the County is required to follow the guidelines listed in the Press Release.

Attorney Luhman explained that in the 1970s, FEMA offered, through the Federal Insurance Program, flood

insurance for individuals located in the flood plain on the condition the County would agree to enforce FEMA regulations to assure that flood hazards would be reduced. One of the regulations is, if a building located in the flood plain is substantially damaged more than 50% of its value before the damage occurred, the owner is not allowed to rebuild the structure. If the County evaluates and determines that the structure was not substantially damaged, the County will expedite the permit process and allow the owner to rebuild.

Mr. Hawley said since the County became a participant in the National Flood Insurance Program, no new buildings have been allowed in the flood plain in Tippecanoe County. In addition, Tippecanoe County will not allow replacement of substantially damaged homes located in the flood plain and requires the removal of the structure. If the County doesn't participate in the National Flood Insurance Program, no owner of property located in the flood plain can purchase flood insurance which is required by many mortgage companies. Mr. Hawley said the County would not be able to get disaster assistance for other occurrences such as ice storms or log jam clearance from creeks without participation in the Flood Insurance Program. He noted the County may be able to receive funding from FEMA to participate in a buy-out of homes that are too damaged to be rebuilt. This would be a 75% federal and 25% local match to purchase and remove the home for permanent open space. President Benson asked the consequences if the homeowner starts repairs before the County's inspection.

Mr. Hawley said if a homeowner doesn't wait for an inspection and start repairs without a permit, he will be in violation of the Building Code and Zoning Ordinance. If repair work is started before the inspection, it will make it difficult to determine if 50% or more damage occurred due to flooding which is critical to determining if the owner will be allowed to rebuild.

Mr. Highland outlined procedures for flood victims in the Building Permits Office:

- A special phone line has been installed for flood questions.
- A special application for flood victims has been designed for property inspection. He plans to visit Goldsberry Road today and distribute these applications.
- A bright yellow Flood Damage Notice will be left on any structure that appears to have substantial damage indicating only that further inspection is needed.
- Homeowners should bring their Property Tax Assessment notice to the Building Permits Office, if possible, for identification of the property and its value. If it is unavailable, a copy will be obtained from the Assessor.

Attorney Luhman reiterated the yellow tag is only alerting the homeowner that further inspection of the property is needed. It doesn't mean substantial damage has been determined.

Mr. Wetschurack assured the public that Federal guidelines are being used to assess the amount of damage.

ADJOURNMENT

- Commissioner Shedd moved to adjourn, seconded by Commissioner Knochel; motion carried.

BOARD OF COMMISSIONERS OF THE COUNTY OF TIPPECANOE

KD Benson, President

Ruth E. Shedd, Vice President

John L. Knochel, Member

ATTEST:

Robert A. Plantenga, Auditor